

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
SUMMONS FOR JUDGMENT NO. 399 OF 2004  
IN  
SUM. SUIT NO. 3937 OF 2003

Surat Breverages Ltd/. ... Plaintiffs

VS.

Prophyla Biologicals Pvt.

Ltd., ... Defendant.

Ms. Mosam Mody i/by Anil Menon

for the plaintiffs.

Mr. K.K. Malpathak for defendant.

CORAM : S.U. KAMDAR, J.

DATED : 25TH OCTOBER, 2005.

P.C.

. The learned counsel for the plaintiffs seeks leave to withdraw the summons for judgement with liberty to take out fresh summons for judgment if and so occasion arises and in an event the post dated cheques are dishonoured. Summons for judgment is dismissed as withdrawn with the aforesaid liberty. No order as to costs.